

JAN 24 2022

## UNITED STATES DISTRICT COURT

for the  
Eastern District of North Carolina

Civil Division

Joanne Hall and Alfred Hall

Case No.

5:22-cv-40-D

(to be filled in by the Clerk's Office)

## Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Charlotte Arena Operations, LLC, et al

"SEE ATTACHED"

## Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☒ Yes ☐ No

## COMPLAINT FOR A CIVIL CASE

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Joanne Hall and Alfred Hall
Street Address	41 Foxwood Drive
City and County	Moorestown, Burlington County
State and Zip Code	New Jersey 08057
Telephone Number	(609) 636-9781
E-mail Address	joannehall2@yahoo.com

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

**LIST OF ALL DEFENDANTS**

1. **Charlotte Arena Operations, LLC**  
333 East Trade Street, Suite A  
Charlotte, NC 28202  
(704) 688-9000
2. **Hornets Sports & Entertainment**  
333 East Trade Street, Suite A  
Charlotte, NC 28202  
(704) 467-6387
3. **Spectrum Center, Inc.**  
333 East Trade Street, Suite A  
Charlotte, NC 28202  
(704) 688-9000
4. **City of Charlotte, North Carolina**  
Mecklenburg Government Center  
600 East 4<sup>th</sup> Street  
Charlotte, North Carolina 28202  
(704) 336-7600
5. **Jani-King International, Inc.**  
Corporate Office  
16885 Dallas Parkway  
Addison, Texas 75001  
(972) 991-0900
6. **Jani-King of Charlotte Janitorial and Commercial Cleaning Services, Inc.**  
7132 Weddington Road  
Concord, North Carolina 28027  
(704) 782-5464
7. **Jani-King Franchising, Inc.**  
Wholly owned subsidiary of Jani-King International, Inc.  
Corporate Office  
16885 Dallas Parkway  
Addison, Texas 75001  
(972) 991-0900
8. **John Doe, Inc.** (any unidentified defendants which may have been responsible for maintenance of the Spectrum Center)  
c/o 333 East Trade Street, Suite A  
Charlotte, NC 28202

9. **Richard Roe, Inc.** (any unidentified defendants which may have been responsible for maintenance of the Spectrum Center)  
c/o 333 East Trade Street, Suite A  
Charlotte, NC 28202

Defendant No. 1

Name Charlotte Arena Operations, LLC  
Job or Title (if known) \_\_\_\_\_  
Street Address 333 East Trade Street, Suite A  
City and County Charlotte, Mecklenburg County  
State and Zip Code North Carolina 28202  
Telephone Number 704-688-9000  
E-mail Address (if known) \_\_\_\_\_

Defendant No. 2

Name Hornets Sports & Entertainment  
Job or Title (if known) \_\_\_\_\_  
Street Address 333 East Trade Street, Suite A  
City and County Charlotte, Mecklenburg County  
State and Zip Code North Carolina 28202  
Telephone Number 704-467-6387  
E-mail Address (if known) \_\_\_\_\_

Defendant No. 3

Name Spectrum Center, Inc.  
Job or Title (if known) \_\_\_\_\_  
Street Address 333 East Trade Street, Suite A  
City and County Charlotte, Mecklenburg, County  
State and Zip Code North Carolina 28202  
Telephone Number 704-688-9000  
E-mail Address (if known) \_\_\_\_\_

Defendant No. 4

Name City of Charlotte, North Carolina  
Job or Title (if known) \_\_\_\_\_  
Street Address Mecklenburg Government Center, 600 East 4th Street  
City and County Charlotte, Mecklenburg County  
State and Zip Code North Carolina 28202  
Telephone Number 704-336-7600  
E-mail Address (if known) \_\_\_\_\_

**Defendant No. 5**

Name Jani-King International, Inc.  
Job or Title (if known) \_\_\_\_\_  
Street Address Corporate Office, 16885 Dallas Parkway  
City and County Addison, Dallas County  
State and Zip Code Texas 75001  
Telephone Number 972-991-0900  
E-mail Address (if known) \_\_\_\_\_

**Defendant No. 6**

Name Jani-King of Charlotte Janitorial and Commercial Cleaning  
Job or Title (if known) Services, Inc.  
Street Address 7132 Weddington Road  
City and County Concord, Carrabus County  
State and Zip Code North Carolina 28027  
Telephone Number 704-782-5464  
E-mail Address (if known) \_\_\_\_\_

**Defendant No. 7**

Name Jani-King Franchising, Inc., Wholly owned subsidiary  
Job or Title (if known) of Jani-King International, Inc. Corporate Office  
Street Address 16885 Dallas Parkway  
City and County Addison, Dallas County  
State and Zip Code Texas 75001  
Telephone Number 972-991-0900  
E-mail Address (if known) \_\_\_\_\_

**Defendant No. 8**

Name John Doe, Inc. (any unidentified defendants which may have  
Job or Title (if known) been responsible for maintenance of the Spectrum Center)  
Street Address c/o 333 East Trade Street, Suite A  
City and County Charlotte, Mecklenburg County  
State and Zip Code North Carolina 28202  
Telephone Number (704) 688-9000  
E-mail Address (if known) \_\_\_\_\_

Defendant No. 9

Name	<u>Richard Roe, Inc. (any unidentified defenatsn which may have</u>
Job or Title (if known)	<u>been responsible for maintenance of the Spectrum Center)</u>
Street Address	<u>c/o 333 East Trade Street, Suite A</u>
City and County	<u>Charlotte, Mecklenburg County</u>
State and Zip Code	<u>North Carolina 28202</u>
Telephone Number	<u>(704) 688-9000</u>
E-mail Address (if known)	<u></u>

Defendant No.

Name	<u></u>
Job or Title (if known)	<u></u>
Street Address	<u></u>
City and County	<u></u>
State and Zip Code	<u></u>
Telephone Number	<u></u>
E-mail Address (if known)	<u></u>

Defendant No.

Name	<u></u>
Job or Title (if known)	<u></u>
Street Address	<u></u>
City and County	<u></u>
State and Zip Code	<u></u>
Telephone Number	<u></u>
E-mail Address (if known)	<u></u>

Defendant No.

Name	<u></u>
Job or Title (if known)	<u></u>
Street Address	<u></u>
City and County	<u></u>
State and Zip Code	<u></u>
Telephone Number	<u></u>
E-mail Address (if known)	<u></u>

## II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☐ Federal question

☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

### A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

### B. If the Basis for Jurisdiction Is Diversity of Citizenship

#### 1. The Plaintiff(s)

##### a. If the plaintiff is an individual

The plaintiff, (name) Joanne Hall and Alfred Hall, are citizens of the State of (name) New Jersey.

##### b. If the plaintiff is a corporation

The plaintiff, (name) \_\_\_\_\_, is incorporated under the laws of the State of (name) \_\_\_\_\_ and has its principal place of business in the State of (name) \_\_\_\_\_.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

#### 2. The Defendant(s)

##### a. If the defendant is an individual

The defendant, (name) \_\_\_\_\_, is a citizen of the State of (name) \_\_\_\_\_. Or is a citizen of (foreign nation) \_\_\_\_\_.

## **The Defendants – (Continued)**

b. **Defendant #2**

The defendant, **Hornets Sports & Entertainment**, is incorporated under the Laws of the State of North Carolina, and has its principal place of business in the State of North Carolina.

**Defendant #3**

The defendant, **Spectrum Center, Inc.** is incorporated under the Laws of the State of North Carolina, and has its principal place of business in the State of North Carolina.

**Defendant #4**

The defendant, **City of Charlotte, North Carolina** is incorporated under the Laws of the State of North Carolina, and has its principal place of business in the State of North Carolina.

**Defendant #5**

The defendant, **Jani-King International, Inc.** is incorporated under the Laws of the State of Texas, and is authorized to transact business in the State of North Carolina with a principal place of business in the State of North Carolina.

**Defendant #6**

The defendant, **Jani-King of Charlotte Janitorial and Commercial Cleaning Services, Inc.** is incorporated under the Laws of the State of Texas, and is authorized to transact business in the State of North Carolina with its principal place of business in the State of North Carolina.

**Defendant #7**

The defendant, **Jani-King Franchising, Inc.**, is incorporated under the Laws of the State of Texas, and is authorized to transact business in the State of North Carolina with a principal place of business in the State of North Carolina.

**Defendant #8**

The defendant, **John Doe, Inc.** is incorporated under the Laws of the State of North Carolina, and has its principal place of business in the State of North Carolina at an address currently known to defendants and unknown to plaintiffs.

**Defendant #9**

The defendant, **Richard Roe, Inc.** is incorporated under the Laws of the State of North Carolina, and has its principal place of business in the State of North Carolina at an address currently known to the defendants and unknown to plaintiffs.

b. If the defendant is a corporation

The defendant, (name) Charlotte Arena Operations, LLC, is incorporated under the laws of the State of (name) North Carolina, and has its principal place of business in the State of (name) North Carolina.  
Or is incorporated under the laws of (foreign nation) \_\_\_\_\_, and has its principal place of business in (name) \_\_\_\_\_.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

SEE ADDITIONAL PAGES

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

A. Plaintiffs aver that the amount in controversy in this premises liability civil action personal injury case exceeds the sum or value of \$75,000.00 exclusive of interest and costs since Plaintiff, Joanne Hall has suffered disabling, serious and permanent orthopedic personal injuries necessitating extensive, protracted medical treatment since February 17, 2019, the date of the accident until the present time.

B. The severity of the plaintiff's injuries required continuous and ongoing medical care, physical therapy and rehabilitation treatment. The costs and expenses of the plaintiff's medical treatment are approximately \$50,000.00 and will increase since she will continue to incur substantial medical expenses for future treatment and recommended surgery to her right ankle, right foot and her right knee.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

On February 17, 2019, at approximately 8:00 p.m. plaintiff Joanne Hall had attended the NBA All-Star game at the Spectrum Center in Charlotte, NC. After the game was over at 11:00 p.m. plaintiff exited her row and attempted to depart the area. However, she slipped and tripped upon the steps which were highly polished, waxed and slippery causing her to lose her balance and fall down the stairs.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Compensation for pain and suffering for physical injuries; emotional and mental distress; medical expenses; and loss of earnings.

1. Acute Pain of both knees;
  2. Lateral meniscus tear of right knee and damage to the articular cartilage;
  3. Patellar Tendinitis of right knee;
  4. Iliotibial band syndrome affecting right lower leg;
  5. Sprain of anterior tibiofibular ligament of right ankle;
  6. Right Chronic ankle sprain with peroneal weakness and functional instability.
- Husband plaintiff Alfred Hall has a consortium claim.

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

1/19/2023

Signature of Plaintiff

Joanne Hall

Alfred Hall

Printed Name of Plaintiff

JOANNE HALL

**B. For Attorneys**

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address